

Moira C. Brennan, Esq.
100 Church Street, 8th Floor
New York, New York 10007
646-535-3309
mbrennan@brennanlawgroup.org
Moira C. Brennan, Esq. (MB-0222)

Attorney for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

NECTARIOUS ARISTIDOU, DESPINA METEKIDIS
MAKA PAPIKOVI, RANDY RODRIGUEZ, IRENE
RIOS, DIMITRIOS SOTIROPOULOS, IONELA
TEODORESCU, and ERICA VASQUEZ

Plaintiff,

Index No. 18 CV 04040 (MKB)

-against-

ANSWER

Jury Trial Demanded

AVIATION PORTSERVICES LLC, TONY HOGDAHL,
SEAN SLATTERY

Defendants.

AVIATION PORT SERVICES, LLC, SEAN SLATTERY, and TONY HOGDAHL
(collectively, “Defendants”), by and through their attorney, Moira C. Brennan, Esq., hereby file
this Answer to the Amended Complaint of NECTARIOUS ARISTIDOU, DESPINA
METEKIDIS, AKA PAPIKOVI, RANDY RODRIGUEZ, IRENE RIOS, DIMITRIOS
SOTIROPOULOS, IONELA TEODORESCU, and ERICA VASQUEZ (“Plaintiffs”) filed on
December 7, 2018 as follows:

1. Paragraph 1 of the Complaint contains conclusions of law and summary description of Plaintiff's claims and the relief sought, to which no response is required. To the extent a response is required, Defendants deny that they violated the New York State Hospitality Wage Order, Minimum Wage Order for the Restaurant Industry, New York Labor Law, and the New York Labor Law and denies that Plaintiffs are entitled to any of the relief sought in the Complaint.

JURISDICTION AND VENUE

2. Defendants admit the allegation contained in paragraph 2 of the Complaint to the extent that this paragraph alleges that venue is proper because the location of a place of business of the corporation is located within the Eastern District of New York.

3. Defendants lack sufficient knowledge to either admit or deny the allegation contained in Paragraph 3 of the Complaint regarding service of the Complaint on various agencies.

4. Defendants lack sufficient knowledge to either admit or deny the allegation contained in Paragraph 4 of the Complaint regarding service of the Complaint on the Attorney General.

PARTIES

5. Defendants admit the truth of the allegations contained in paragraph 5 that it is a foreign corporation organized and existing pursuant to the laws of the State of California and registered to do business in New York State.

6. Defendants admit the truth of the allegations contained in paragraph 6 about its business operations.

7. Defendants deny the truth of the allegations contained paragraph 7 to the extent they infer that the Plaintiffs did not choose employee's uniforms, train and manage employees, supervise employees, decide how much employees were paid and when and how employees were hired, promoted and terminated.

8. Defendants admit the truth of the allegations contained in paragraph 8 of the Complaint regarding the Defendant's gross volume of sales.

9. Defendants admit the truth of the allegations contained in paragraph 9 that it employs more than eleven employees. The balance of paragraph calls for legal conclusions which can neither be admitted nor denied.

10. Paragraph 10 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 10 and state that Defendant Hogdahl is a majority interest holder and managing member of the limited liability company.

11. Paragraph 11 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 11 and state that Defendant Slattery is the Executive Vice President of the limited liability company.

12. Paragraph 12 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 12 of the Complaint.

13. Paragraph 13 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 13 of the Complaint.

14. Paragraph 14 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 14 of the Complaint.

15. Paragraph 15 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 15 of the Complaint.

16. Paragraph 16 of the Complaint contains not factual allegations which may be admitted or denied.

17. Paragraph 17 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 17v of the complaint and admit only that Plaintiff Aristidou was employed by Defendant.

18. Paragraph 18 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 18 of the complaint and admit only that Plaintiff Metekidis was employed by Defendant.

19. Paragraph 19 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 19 of the complaint and admit only that Plaintiff Papikovi was employed by Defendant.

20. Paragraph 20 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 20 of the complaint and admit only that Plaintiff Rios was employed by Defendant.

21. Paragraph 21 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 21 of the complaint and admit only that Plaintiff Rodriguez was employed by Defendant.

22. Paragraph 22 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 22 of the complaint and admit only that Plaintiff Sotiropoulos was employed by Defendant.

23. Paragraph 23 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 23 of the complaint and admit only that Plaintiff Teodorescu was employed by Defendant.

24. Paragraph 24 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 24 of the complaint and admit only that Plaintiff Vasquez was employed by Defendant.

25. Paragraph 25 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 25 of the complaint.

26. Defendants deny the allegations contained in paragraph 26 of the complaint.

27. Paragraph 27 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 27.

28. Paragraph 28 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 28 of the complaint.

29. Paragraph 29 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 29 of the complaint.

30. Paragraph 30 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 30 of the complaint.

31. Paragraph 31 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 31 of the complaint.

32. Defendants deny the allegations contained in paragraph 32 of the complaint.

33. Paragraph 33 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 33 of the complaint.

34. Paragraph 34 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 34 of the complaint.

35. Defendants deny the allegations contained in paragraph 35 of the complaint.

36. Defendants deny the allegations contained in paragraph 36 of the complaint.

37. Paragraph 37 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 37 of the complaint.

38. Paragraph 38 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 38 of the complaint.

39. Defendants deny the allegations contained in paragraph 39 of the complaint.

40. Paragraph 40 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 40 of the complaint.

41. Defendants deny the allegations contained in paragraph 41 of the complaint.

42. Defendants deny the allegations contained in paragraph 42 of the complaint.

43. Defendants deny the allegations contained in paragraph 43 of the complaint.

44. Defendants deny the allegations contained in paragraph 44 of the complaint.

45. Paragraph 40 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 45 of the complaint.

46. Defendants deny the allegations contained in paragraph 46 of the complaint.

47. Defendants deny the allegations contained in paragraph 47 of the complaint.

48. Defendants deny the allegations contained in paragraph 49 of the complaint.

49. Defendants deny the allegations contained in paragraph 49 of the complaint.

50. Defendants deny the allegations contained in paragraph 50 of the complaint.

51. Paragraph 51 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 51 of the complaint.

52. Paragraph 52 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 52 of the complaint.

53. Paragraph 53 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 53 of the complaint.

54. Defendants deny the allegations contained in paragraph 54 of the complaint.

55. Defendants deny the allegations contained in paragraph 55 of the complaint.

56. Paragraph 56 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 56 of the complaint.

57. Defendants admit the allegations contained in paragraph 57 of the complaint.

58. Defendants admit the allegations contained in paragraph 58 of the complaint.

59. Defendants admit the allegations contained in paragraph 59 of the complaint.

60. Defendants admit the allegations contained in paragraph 60 of the complaint.

61. Defendants deny the allegations contained in paragraph 61 of the complaint.

62. Defendants deny the allegations contained in paragraph 62 of the complaint.

63. Defendants deny the allegations contained in paragraph 63 of the complaint.

64. Paragraph 64 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 64 of the complaint.

65. Paragraph 65 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 65 of the complaint.

66. Defendants admit the allegations contained in paragraph 66 of the complaint.

67. Defendants admit the allegations contained in paragraph 67 of the complaint.

68. Defendants deny the allegations contained in paragraph 68 of the complaint.

69. Paragraph 69 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 69 of the complaint.

70. Paragraph 70 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 70 of the complaint.

71. Paragraph 71 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 71 of the complaint.

72. Paragraph 72 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 72 of the complaint.

73. Defendants deny the allegations in paragraph 73 of the complaint.

74. Paragraph 74 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 74 of the complaint.

75. Paragraph 75 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 75 of the complaint.

76. Paragraph 76 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 76 of the complaint.

77. Defendants deny the allegations contained in paragraph 77 of the complaint, except to the extent that Mr. Sotiropoulos was terminated for making repeated derogatory, sexually explicit harassing comments to women, including an employee of APS' customer.

78. Plaintiffs admit the allegations contained in paragraph 78 of the complaint.

79. Paragraph 79 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 79 of the complaint.

80. Defendants deny the allegations contained in paragraph 80 of the complaint, as Mr. Sotiropoulos was terminated for making repeated derogatory, sexually explicit harassing comments to women, including an employee of APS' customer.

81. Paragraph 81 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 81 of the complaint.

82. Paragraph 82 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 82 of the complaint.

83. Defendants deny the allegations contained in paragraph 83 of the complaint.

84. Paragraph 84 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 84 of the complaint.

85. Paragraph 85 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 85 of the complaint.

86. Defendants deny the allegations contained in paragraph 86 of the complaint.

87. Defendants deny the allegations contained in paragraph 87 of the complaint.

88. Defendants deny the allegations contained in paragraph 88 of the complaint.

89. Defendants deny the allegations contained in paragraph 89 of the complaint.

90. Paragraph 90 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 90 of the complaint.

91. Paragraph 91 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 91 of the complaint.

92. Defendants deny the allegations contained in paragraph 92 of the complaint.

93. Paragraph 93 of the Complaint contains conclusions of law, to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 93 of the complaint.

94. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 93 above as if fully set forth here at length.

95. Paragraph 95 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 95 of the Complaint.

96. Defendants deny the allegations in paragraph 96 of the complaint.

97. Defendants deny the allegations in paragraph 97 of the complaint.

98. Defendants deny the allegations in paragraph 98 of the complaint.

99. Paragraph 95 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 99 of the Complaint.

100. Paragraph 100 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 100 of the complaint.

101. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 100 above as if fully set forth here at length.

102. Paragraph 102 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 102 of the complaint.

103. Defendants deny the allegations in paragraph 103 of the complaint.

104. Defendants deny the allegations in paragraph 104 of the complaint.

105. Defendants deny the allegations in paragraph 105 of the complaint.

106. Paragraph 106 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 106 of the complaint.

107. Paragraph 107 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 107 of the complaint.

108. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 107 above as if fully set forth here at length.

109. Paragraph 109 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 109 of the complaint.

110. Paragraph 110 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 110 of the complaint.

111. Paragraph 111 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 111 of the complaint.

112. Paragraph 112 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 112 of the complaint.

113. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 112 above as if fully set forth here at length.

114. Paragraph 114 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 114 of the complaint.

115. Defendants deny the allegations in paragraph 103 of the complaint.

116. Paragraph 116 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 116 of the complaint.

117. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 116 above as if fully set forth here at length.

118. Paragraph 118 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 118 of the complaint.

119. Defendants deny the allegations in paragraph 119 of the complaint.

120. Paragraph 120 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 120 of the complaint.

121. Paragraph 121 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 121 of the complaint.

122. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 121 above as if fully set forth here at length.

123. Paragraph 123 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 123 of the complaint.

124. Defendants deny the allegations in paragraph 124 of the complaint.

125. Defendants deny the allegations in paragraph 125 of the complaint.

126. Paragraph 126 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 126 of the complaint.

127. Paragraph 127 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 127 of the complaint.

128. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 127 above as if fully set forth here at length.

129. Defendants deny the allegations in paragraph 129 of the complaint.

130. Paragraph 130 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 130 of the Complaint.

131. Defendants deny the allegations in paragraph 131 of the complaint.

132. Paragraph 132 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 132 of the Complaint.

133. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 132 above as if fully set forth here at length.

134. Defendants deny the allegations in paragraph 134 of the complaint.

135. Paragraph 135 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 135 of the Complaint.

136. Defendants deny the allegations in paragraph 136 of the complaint.

137. Paragraph 137 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 137 of the Complaint.

138. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 137 above as if fully set forth here at length.

139. Defendants deny the allegations in paragraph 139 of the complaint.

140. Defendants deny the allegations in paragraph 140 of the complaint.

141. Defendants deny the allegations in paragraph 141 of the complaint.

142. Defendants deny the allegations in paragraph 142 of the complaint.

143. Defendants deny the allegations in paragraph 143 of the complaint.

144. Paragraph 144 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 144 of the Complaint.

145. Defendants deny the allegations contained in paragraph 145 of the complaint.

146. Paragraph 146 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 146 of the Complaint.

147. Defendants deny the allegations contained in paragraph 147 of the complaint.

148. Paragraph 148 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 148 of the Complaint.

149. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 137 above as if fully set forth here at length.

150. Paragraph 150 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 150 of the Complaint.

151. Defendants deny the allegations contained in paragraph 151 of the complaint.

152. Defendants deny the allegations contained in paragraph 152 of the complaint.

153. Paragraph 153 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 153 of the Complaint.

154. Defendants deny the allegations contained in paragraph 154 of the complaint.

155. Paragraph 155 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 155 of the Complaint.

156. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 155 above as if fully set forth here at length.

157. Defendants deny the allegations contained in paragraph 157 of the complaint.

158. Paragraph 158 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 158 of the Complaint.

159. Paragraph 159 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 159 of the Complaint.

160. Defendants deny the allegations contained in paragraph 160 of the complaint.

161. Defendants deny the allegations contained in paragraph 161 of the complaint.

162. Paragraph 162 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 162 of the Complaint.

163. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 162 above as if fully set forth here at length.

164. Paragraph 164 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 164 of the Complaint.

165. Paragraph 165 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 165 of the Complaint.

166. Paragraph 166 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 166 of the Complaint.

167. Defendants deny the allegations contained in paragraph 167 of the complaint.

168. Paragraph 168 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 168 of the Complaint.

169. Defendants deny the allegations contained in paragraph 169 of the complaint.

170. Defendants deny the allegations contained in paragraph 170 of the complaint.

171. Paragraph 171 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 171 of the Complaint.

172. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 171 above as if fully set forth here at length.

173. Paragraph 173 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 173 of the Complaint.

174. Paragraph 174 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 174 of the Complaint.

175. Paragraph 175 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 175 of the Complaint.

176. Defendants deny the allegations contained in paragraph 176 of the complaint.

177. Paragraph 177 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 168 of the Complaint.

178. Defendants deny the allegations contained in paragraph 178 of the complaint.

179. Defendants deny the allegations contained in paragraph 179 of the complaint.

180. Paragraph 180 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 180 of the Complaint.

181. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 180 above as if fully set forth here at length.

182. Defendants deny the allegations contained in paragraph 182 of the complaint.

183. Paragraph 183 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 183 of the Complaint.

184. Defendants deny the allegations contained in paragraph 184 of the complaint.

185. Defendants deny the allegations contained in paragraph 184 of the complaint.

186. Paragraph 183 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 183 of the Complaint.

187. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 187 above as if fully set forth here at length.

188. Paragraph 188 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 188 of the Complaint.

189. Paragraph 189 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 189 of the Complaint.

190. Defendants deny the allegations contained in paragraph 190 of the complaint.

191. Defendants deny the allegations contained in paragraph 191 of the complaint.

192. Paragraph 192 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 192 of the Complaint.

193. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 192 above as if fully set forth here at length.

194. Defendants deny the allegations contained in paragraph 194 of the complaint.

195. Defendants deny the allegations contained in paragraph 195 of the complaint.

196. Defendants deny the allegations contained in paragraph 196 of the complaint.

197. Paragraph 197 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 197 of the Complaint.

198. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 197 above as if fully set forth here at length.

199. Defendants deny the allegations contained in paragraph 199 of the complaint.

200. Paragraph 200 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 200 of the Complaint.

201. Defendants deny the allegations contained in paragraph 201 of the complaint.

202. Paragraph 202 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 202 of the Complaint.

203. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 202 above as if fully set forth here at length.

204. Defendants deny the allegations contained in paragraph 204 of the complaint.

205. Defendants deny the allegations contained in paragraph 205 of the complaint.

206. Paragraph 206 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 206 of the Complaint.

207. Paragraph 207 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 207 of the Complaint.

208. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 207 above as if fully set forth here at length.

209. Paragraph 209 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 209 of the Complaint.

210. Defendants deny the allegations contained in paragraph 210 of the complaint.

211. Paragraph 211 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 211 of the Complaint.

212. Paragraph 212 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 212 of the Complaint.

213. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 212 above as if fully set forth here at length.

214. Defendants deny the allegations contained in paragraph 214 of the complaint.

215. Defendants deny the allegations contained in paragraph 215 of the complaint.

216. Defendants deny the allegations contained in paragraph 216 of the complaint.

217. Defendants deny the allegations contained in paragraph 217 of the complaint.

218. Paragraph 218 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 218 of the Complaint.

219. Paragraph 219 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 219 of the Complaint.

220. Defendants deny the allegations contained in paragraph 220 of the complaint.

221. Paragraph 221 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 221 of the Complaint.

222. Defendants repeat and reallege each and every response contained in paragraph 1 through paragraph 221 above as if fully set forth here at length.

223. Paragraph 223 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 223 of the Complaint.

224. Paragraph 224 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 224 of the Complaint.

225. Paragraph 225 of the Complaint contains a legal contention, characterization, or conclusion to which no response is required. To the extent a response is required, Defendants deny the allegations contained in paragraph 225 of the Complaint.

AFFIRMATIVE DEFENSES, OTHER DEFENSES AND COUNTERCLAIMS

FIRST AFFIRMATIVE DEFENSE – FAILURE TO STATE A CAUSE OF ACTION

1. Some or all of Plaintiffs' claims fail to state facts sufficient to constitute a cause of action against the Defendants and those claims are without legal justification.

SECOND AFFIRMATIVE DEFENSE – WAIVER, ESTOPPEL, UNCLEAN HANDS

2. Some or all of Plaintiffs' claims are barred under the doctrines of waiver, laches, estoppel, ratification, bad faith, and/or unclean hands.

THIRD AFFIRMATIVE DEFENSE – LACK OF STANDING

3. Plaintiffs lack standing to bring some or all of the claims asserted herein and/or to obtain the relief requested and has failed to properly allege standing to assert some or all of the claims in the Complaint.

FOURTH AFFIRMATIVE DEFENSE – GOOD FAITH

4. Defendants at all times acted in good faith and with reasonable grounds for believing that they had not violated New York Law or Federal Law.

FIFTH AFFIRMATIVE DEFENSE – LACK OF NOTICE OF VIOLATIONS

5. The Complaint, and each cause of action thereof, is barred – or the damages reduced - because the Plaintiffs failed to notify Defendants of the alleged statutory violations at the time such violations occurred, which prevented Defendants from taking any actions to remedy such violations.

SIXTH AFFIRMATIVE DEFENSE – LACK OF KNOWLEDGE

6. Defendants have no knowledge of, nor should they have knowledge of, any alleged uncompensated work by Plaintiffs as set forth in the Complaint, and the Defendants did not authorize, request, suffer, or permit such activities by Plaintiffs as set forth in the Complaint.

SEVENTH AFFIRMATIVE DEFENSE – LACK OF JURISDICTION

7. This Court lacks jurisdiction over individual defendant Tony Hogdahl who resides outside the State of New York and does not transact business in New York State.

8. This Court lacks jurisdiction over individual defendant Sean Slattery who resides outside the State of New York and does not transact business in New York State and is not a member of the limited liability company.

RESERVATION OF RIGHTS - AFFIRMATIVE DEFENSES

9. DefendantS reserve the right to assert additional defenses with regard to some or all of Plaintiff's claims.

COUNTERCLAIMS

FIRST COUNTERCLAIM: ATTORNEY'S FEES UNDER NYLL

10. Defendants incorporate all the matters alleged above.

11. Defendants are entitled to reasonable costs and attorney's fees under NYLL § 195, to the extent that NYLL § 195 applies, and to the extent Defendants are the prevailing party on claims under NYLL § 195

PRAYER FOR RELIEF

WHEREFORE, having fully answered the Complaint, the Defendants demand judgment against Plaintiffs as follows: a)That the Complaint and each cause of action be dismissed with prejudice; b) That the Defendants be awarded reasonable costs and attorney's fees for defending this matter; c) Awarding Defendant such other and further relief as this Court deems just and proper.

Dated: January 4, 2019
New York, New York

Respectfully Submitted:

/s/ Moira C. Brennan, Esq.
Moira C. Brennan, Esq.
Attorney for Plaintiff
100 Church Street, 8th Floor
New York, New York 10007
(646) 535-3309